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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,856	12/14/2004	Lothar Ginzl	5255-41PUS	9084

27799 7590 01/11/2007
COHEN, PONTANI, LIEBERMAN & PAVANE
551 FIFTH AVENUE
SUITE 1210
NEW YORK, NY 10176

EXAMINER

STRIMBU, GREGORY J

ART UNIT	PAPER NUMBER
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3634

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/517,856	Applicant(s) GINZEL, LOTHAR	
	Examiner Gregory J. Strimbu	Art Unit 3634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 11-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>12/14/04</u> . | 6) <input type="checkbox"/> Other: ____. |

Priority

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Germany on April 17, 2003. It is noted, however, that applicant has not filed a certified copy of the 103 18 160.1 application as required by MPEP 1893.03(c).

Information Disclosure Statement

The information disclosure statement filed December 14, 2004 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information regarding WO 02/081844 and DE 94 18 989 has not been considered.

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. It is suggested the applicant amend the title to include the illumination aspect of the invention.

Claim Rejections - 35 USC § 112

Claims 13 and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Recitations such as "a pane of glass" on line 2 of claim 13 render the claims indefinite because it is unclear if the applicant is referring to the pane of glass set forth above or is attempting to set forth another pane of glass in addition to the one set forth above. Recitations such as "a trailing cable from the crossbar" on line 3 of claim 19 render the claims indefinite because it is unclear what the applicant is attempting to set forth. Is the applicant setting forth a cable that trails from the crossbar?

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hein (US 6079162) in view of Emde (US 20040031234). Hein discloses an automatic sliding door comprising: at least one displaceable leaf 19 comprising a pane of glass 5 having horizontal (not numbered, but shown in figure 2) and vertical edges (not numbered, but shown in figure 6) framed by an upper profile (not numbered, but shown in figure 4), a lower profile 10, and a pair of vertical profiles (not numbered, but shown in

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figure 4); a drive motor 23 coupled to said at least one leaf for displacing said at least one leaf to open and close the door, at least one stationary side part 6 comprising a pane of glass 5 having horizontal (not shown) and vertical (not shown) edges framed by an upper profile (not numbered, but shown in figure 4), a lower profile 2, and a pair of vertical profiles 1. Hein is silent concerning a light source.

However, Emde discloses a light source 102 provided in at least one of profile 110 of a closure element, the light source emits light into and faces an edge 108 of a pane of glass 100, the light source 102 comprises a plurality of LEDs, a cavity (not numbered, but shown in figure 1 partially filled with a sealing compound 105 (see paragraph 19, lines 12-15).

It would have been obvious to one of ordinary skill in the art to provide Hein with a light source, as taught by Emde, to enable a user of the door to more easily see the door.

Claims 18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hein in view of Emde as applied to claims 11-17 above, and further in view of Krimmel (US 6865848). Krimmel discloses a sliding door 2 comprising a current feed 10 in the upper profile of the sliding door, stationary crossbar 16 from which the door is suspended, said current feed comprising a current rail 16 and a current rail 17 mounted on the crossbar and a current collector 22 mounted on the door, said collector being in electrical contact with said rails.

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It would have been obvious to one of ordinary skill in the art to provide Hein, as modified above, with an electrical supply, as taught by Krimmel, to provide power to the sliding door without diminishing the aesthetics of the door.

Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hein in view of Emde as applied to claims 11-17 above, and further in view of Takano et al. (US 5996281). Takano et al. discloses a current feed 14 in the upper profile 7 of a displaceable leaf 1A, a stationary crossbar 33 from which the displaceable leaf is suspended, said current feed comprising a trailing cable 37 from the crossbar to said displaceable leaf.

It would have been obvious to one of ordinary skill in the art to provide Hein, as modified above, with a power supply system, as taught by Takano et al., to provide power to the sliding door without diminishing the aesthetics of the door.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Van Sandt, D'Angelo, Wroblewski, Hoffman, Fite, Krause et al., and Ter-Hovhannisian are cited for disclosing a closure element having a lighting means disposed therein.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 571-

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272-6836. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on 571-272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Gregory J. Strimbu
Primary Examiner
Art Unit 3634
January 5, 2007